United Nations A/63/578–S/2008/749

General Assembly
Security Council

Distr.: General
2 December 2008

Original: English

General Assembly
Sixty-third session
Agenda item 21
Question of Cyprus

Security Council
Sixty-third year

Letter dated 28 November 2008 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 28 November 2008, addressed to you by Kemal Gökeri, Representative of the Turkish Republic of Northern Cyprus (see annex), forwarding a letter from Mehmet Ali Talat, President of the Turkish Republic of Northern Cyprus (see enclosure).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 21, and of the Security Council.

(*Signed*) Baki **İlkin**
Ambassador
Permanent Representative

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Annex to the letter dated 28 November 2008 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to convey herewith a copy of the letter dated 28 November 2008 addressed to you by Mehmet Ali Talat, President of the Turkish Republic of Northern Cyprus (see enclosure).

I should be grateful if the text of the present letter could be circulated as a document of the General Assembly, under agenda item 21, and of the Security Council.

(*Signed*) M. Kemal **Gökeri**
Representative
Turkish Republic of Northern Cyprus

Enclosure

I have the honour to refer to the speeches made by Mr. Dimitris Christofias, the Greek Cypriot leader, and Ms. Dora Bakoyannis, the Minister of Foreign Affairs of Greece, during the latest high-level plenary of the United Nations General Assembly, as well as the letter of the Greek Cypriot representative in New York circulated as a United Nations document (A/63/378 of 26 September 2008), and bring to your kind attention the following considerations:

In line with the usual practice adopted by the Greek Cypriot leaders in their statements before the United Nations General Assembly, Mr. Christofias again took advantage of this opportunity to distort the recent history of Cyprus. Throughout the many years following the Greek Cypriot destruction of the 1960 partnership Republic of Cyprus, the Greek Cypriot side has managed to misinform the international community and portray the Cyprus question as one of "invasion" and "occupation". Furthermore, as reflected in Mr. Christofias' speech, the Greek Cypriot side attempts to disguise the fact that there is no Cypriot nation and that Cyprus is the common home of the Greek Cypriot people and Turkish Cypriot people.

The partnership Republic of Cyprus, which was founded in accordance with international treaties, was in fact destroyed in 1963 by the Greek Cypriot partner's onslaught on the Turkish Cypriot partner, and there has not been a joint central administration in the island ever since. Each side has since ruled itself, while the Greek Cypriot side has continued to claim that it is the "Government of Cyprus". Hence, by late December 1963 there was no longer an entity called "Republic of Cyprus" which reflected the 1960 Agreements since one of the partners, namely Turkish Cypriots, were ousted by force of arms from all organs of the State and government.

Just as Mr. Christofias had, Ms. Bakoyannis also distorts the recent history of the island. It is true that there had been an invasion on the island, but this is certainly not the Turkish intervention of 20 July, which is fully legitimate, as Turkey acted in accordance with her obligations under the 1960 Treaty of Guarantee. Rather, it is the Greek Cypriot usurpation of the Government since 1963 and Greek invasion of 15 July when the junta in Athens staged a coup on the island. In a speech before the United Nations Security Council on 19 July 1974, the then Greek Cypriot leader Archbishop Makarios had the following to say:

> "The coup of the Greek junta is an invasion, and from its consequences the whole people of Cyprus suffers, both Greeks and Turks. The Security Council should call upon the military regime of Greece to withdraw from Cyprus the Greek officers serving in the National Guard, and to put an end to its invasion of Cyprus."

When Ms. Bakoyannis talks of Greece having "consistently supported Cyprus in its natural and justified desire to see the withdrawal of all occupation forces as part of a settlement", she equates Cyprus with the Greek Cypriot administration and its people, since the "desire" she talks of reflects the sentiments of the Greek Cypriot side. It is noteworthy to underline in this regard that none of the Security Council resolutions on Cyprus calls for the withdrawal of the Turkish forces from the island. Furthermore, the withdrawal of all foreign troops has never been on the United Nations agenda. As reflected in various United Nations documents, what has

been envisaged hitherto is that in the event of a comprehensive settlement there will be a reduction of Turkish and Greek forces to an agreed level according to a certain timetable. In the absence of a comprehensive settlement, presence of the Turkish forces on the island is a vital security requirement for the Turkish Cypriot people.

In his statement, Mr. Christofias highlights the agreement of 1 July 2008 in which the two leaders agreed, in principle, that there will be "single sovereignty and single citizenship" while excluding the key element of the 23 May 2008 agreement in which the two leaders expressed their commitment to a new "partnership in the form of a bizonal, bicommunal federation with political equality", as defined by relevant Security Council resolutions. On 23 May 2008 the two leaders also agreed that this partnership would have "a Federal Government with a single international personality, as well as a Turkish Cypriot Constituent State and a Greek Cypriot Constituent State, which would be of equal status".

The fact that Mr. Christofias is reneging on his commitment to the framework agreed upon on 23 May 2008 becomes apparent when one considers the Memorandum signed between the Greek Cypriot administration and the United Kingdom on 5 June 2008. I would like to single out one very important issue reflected in the said Memorandum. In the Memorandum, the 23 May 2008 agreement has been partially included and a single sentence, pertaining to the concept of "partnership and the existence of two constituent states of equal status", which the Turkish Cypriot side considers vital, has been omitted. Unfortunately, the same omission has been made in the latest United Nations Security Council resolution on Cyprus (1818 (2008) of 13 June 2008). In doing so, the balance established by the two sides therein, which indeed made it possible to conclude the 23 May 2008 agreement, has been drastically shifted in favour of the Greek Cypriot side.

In a departure from the established United Nations parameters and body of work, the Greek Cypriot representative in New York claims that the peace talks "aim at the evolution of the Republic of Cyprus into a bizonal bicommunal federal state with political equality as set out in relevant United Nations Security Council resolutions". The Greek Cypriot administration thus rejects the "virgin birth" concept, which was central to the Annan Plan, and the long established parameter that a settlement of the Cyprus issue will be in the form of a new partnership between the two sides. A settlement through the evolution or transformation of the "Republic of Cyprus", as prescribed by Mr. Christofias in his opening remarks during the meeting of the two leaders on 3 September 2008, has never been on the agenda. Furthermore, it is noteworthy that in terms of procedure, Mr. Christofias rejects United Nations arbitration or mediation as well as timetables during the negotiations.

The remarks made by Mr. Christofias and Ms. Bakoyannis at the United Nations General Assembly that "Turkey should contribute to the process in a positive way" and that "Turkey [should] also demonstrate flexibility and goodwill toward that end [i.e. a settlement]", respectively, are misleading, since they give the false impression that finding a solution between the two sides on the island is contingent upon steps to be taken by Turkey. As evidenced by its strong support for the Annan Plan, Turkey has always demonstrated a constructive attitude towards finding a comprehensive solution to the Cyprus problem. It should be recalled that it was the Greek Cypriot side who rejected the Annan Plan and again it was the Greek

Cypriot leadership blocking the resumption of the talks until the meeting of 21 March 2008. During this period it was the initiative taken by the Turkish Cypriot leadership that led to the meetings of 8 July 2006 and 5 September 2007 between President Mehmet Ali Talat and former Greek Cypriot leader Mr. Tassos Papadopoulos. Neither of these meetings produced any result on account of the Greek Cypriot rejectionist stance. In the same period, the Action Plan proposed by Turkey on 24 January 2006, which entailed the lifting of the isolation of the Turkish Cypriots in exchange for the opening of Turkish ports to the Greek Cypriot side, was also rejected out of hand by the Greek Cypriot leader. It should also be recalled that it was again as an outcome of calls made myself to the Greek Cypriot leader Mr. Christofias after his election victory that enabled the start of the current process.

In spite of the fact that the Annan Plan provided the Greek Cypriot people with concrete advantages at the expense of the Turkish Cypriots, the Greek Cypriot administration, which rejected the Plan and continues to oppose it even as a basis for further negotiations, still has the audacity to complain about the presence of the Turkish army, the so-called influx of "settlers", the so-called "refugee" problem and other matters. In this regard the United Nations Secretary-General's observation is important:

> "The rejection of such a plan by the Greek Cypriot electorate is a major setback. What was rejected was the solution itself rather than a mere blueprint. Benefits for the Greek Cypriots which have been sought for decades — including the reunification of Cyprus, the return of a large swathe of territory, the return of most displaced persons to their homes (including a majority, some 120,000, under Greek Cypriot administration), the withdrawal of all troops not permitted by international treaties, the halting of further Turkish immigration and (if Greek Cypriot figures are accurate) the return to Turkey of a number of 'settlers' — have been forgone." (The former United Nations Secretary-General's report, dated 28 May 2004, para. 83.)

It becomes imperative to set the record straight, given Mr. Christofias' audacity in making false allegations on issues which would have been resolved had they not rejected the Annan Plan:

1. The refugee problem in Cyprus did not start in 1974 but dates back to 1963. It is an undeniable historical fact which has also been recorded in the relevant reports of the then United Nations Secretary-General to the Security Council that one fourth of the Turkish Cypriot people had been rendered homeless refugees, some of them several times over, as a result of the Greek Cypriot side's attempts to annex Cyprus to Greece. It is true that many Turkish Cypriots as well as Greek Cypriots were displaced in 1974 as a result of the Greek-Greek Cypriot coup and its aftermath. It is equally true, however, that the issue of displaced persons has been fundamentally settled through the Third Vienna Agreement dated 2 August 1975. With this Agreement, the two sides agreed on a voluntary regrouping of populations in their own respective territory, and this voluntary regrouping of populations has been carried out under the supervision of UNFICYP.

2. In every platform, the Greek Cypriot side keeps bringing up the matter of the so-called "settlers". It hardly needs to be stressed that migration of labour and immigration in general are international phenomena affecting all countries, including North Cyprus. It is only natural that the TRNC, like any other country, should regulate the labour force in accordance with its own economic requirements.

At present, the Greek Cypriots continue to admit tens of thousands of immigrants from other countries, particularly from ex-Soviet republics. It has been reported in the Greek Cypriot press of 16 April 2008 that during a press conference held the previous day the Greek Cypriot Minister of the Interior, Neocles Silikiotis, stated that more than 20 per cent of the population in the South is non-Cypriots. (More than 100,000 Greeks, 70,000 Pontus Greeks, 30,000 former Soviet bloc citizens, 15,000 Lebanese and 3,000 Kurds.) The Greek Cypriot daily newspaper *Phileleftheros* of 16 April 2008 reflected the existing situation through the following report:

> "Demographic Problem in [South] Cyprus — one out of every five residents is non-Cypriot".

With its campaign of misinformation, the Greek Cypriot administration purports to provide a smokescreen for the human rights violations perpetrated against the Turkish Cypriot people. The Greek Cypriot representative in New York is claiming that the isolations imposed on the Turkish Cypriot people are a result of the 1974 Turkish intervention. Reports of the United Nations Secretaries-General and of the international press bear testimony to the fact that the inhuman isolations imposed on the Turkish Cypriot people date back to the early sixties. It should be recalled that as early as 10 September 1964, in his report to the United Nations Security Council, the then United Nations Secretary-General described the inhuman restrictions imposed upon the Turkish Cypriot people by the Greek Cypriot authorities, under the usurped title of the "Government of Cyprus", as being so severe that it amounted to a "veritable siege" (United Nations document S/5950).

After 40 years of Turkish Cypriots having been subjected to unjust and inhuman isolations, the former United Nations Secretary-General stated in his report dated 28 May 2004 that:

> "The Turkish Cypriot vote [in the referendum on the Annan Plan] has undone any rationale for pressuring and isolating them. I would hope that the members of the Council can give a strong lead to all States to cooperate both bilaterally and in international bodies, to eliminate unnecessary restrictions and barriers that have the effect of isolating Turkish Cypriots and impeding their development."

The Greek Cypriots continue to construe any step taken by the Turkish Cypriot side or Turkey to overcome the inhuman isolation as a step towards upgrading or seeking recognition of the TRNC. In this regard, we welcome the fact that Your Excellency had the following to say in paragraph 47 of your report on the United Nations operation in Cyprus of 3 December 2007 (S/2007/699):

> "It is regrettable that the ongoing debate on the lifting of the isolation of the Turkish Cypriots has become a debate on recognition ... The maintenance of economic, social, cultural, sporting or similar ties or contacts does not amount to recognition. On the contrary, it will benefit all Cypriots by building trust, creating a more even playing field and thus greatly contributing to the reunification of the island. It is therefore important for all actors concerned to reframe the debate and their actions with a view to achieving this crucial objective in conformity with Security Council resolutions."

More recently, in its resolution 1628 of 1 October 2008, the Parliamentary Assembly of the Council of Europe called upon the Greek Cypriot administration to

"lift objections to the adoption of the Council of the European Union's Direct Trade Regulation put forward by the European Commission allowing free direct trade between Turkish Cypriots and the EU through their own ports". As you must be aware, the Greek Cypriot side has been blocking the implementation of the Direct Trade Regulation since 2004.

In the aforementioned letter, the Greek Cypriot representative in New York claims that the per capita income in the Turkish Republic of Northern Cyprus which "now stands at US$ 12,000, [is] hardly reminiscent of any isolation". The fact that the GNP per capita is US$ 12,000 in North Cyprus does not disprove the reality of isolation, since the GNP per capita in South Cyprus is almost double that amount. Had it not been for the isolation which prevents Turkish Cypriots from realizing their full potential, there is no doubt that there would not have been such a disparity between the two economies of this small island and the GNP per capita in North Cyprus would be on a par with that of South Cyprus.

Finally, I wish to express that the Turkish Cypriot side remains as committed as ever to finding a comprehensive settlement to the Cyprus problem in the shortest possible time under the good offices mission of Your Excellency and on the basis of established United Nations parameters and the United Nations body of work. As the Turkish Cypriot side, we will do the utmost to further the current process aimed at resolving the Cyprus dispute and trust that the Greek Cypriot side will approach the talks in the same spirit.

I should be grateful if the present letter could be circulated as a document of the General Assembly, under agenda item 21, and of the Security Council.

(*Signed*) Mehmet Ali **Talat**
President